

RESPONSE TO OFFICE COMMUNICATION

In response to the Action mailed December 22, 2008, in connection with the above-identified application, the time for responding having been extended to June 22, 2009, by the accompanying fee and petition under 37 C.F.R. §1.136, Applicants respectfully submits the following remarks.

Claims 1-23, 26 and 27 are pending. Claim 6 has been amended. No new matter has been introduced. Reexamination and reconsideration of the present application is respectfully requested.

EXAMINER'S INTERVIEW

On May 19, 2009, the Applicant called the Examiner to inquire whether *Pyrococcus furiosus* (Pfu-Pol) was inadvertently left out of the listing of polymerases in Species Group 1. The Examiner confirmed that *Pyrococcus furiosus* (Pfu-Pol) should have been included in Species Group 1. The Applicant thanks the Examiner for his time in clarifying the issue.

REMARKS

These remarks are in response to the Action mailed December 22, 2008. Claims 1-23, 26 and 27 are pending and are subject to a second Restriction Requirement.

The Applicant elects, without traverse, *Pyrococcus furiosus* (Pfu-Pol) from Species Group 1 and elects those amino acid modifications corresponding to V93 of SEQ ID NO:2 from Species Group 2 for examination in the subject application.

The elected species read on claims 1, 3-6, 9-10, 23, 26 and 27. The Applicant has cancelled claims 2, 7-8, and 11-22 as being directed to non-elected claims. Claims 24-25 were previously cancelled as being directed to non-elected claims from the first Restriction Requirement. The Applicant reserves the right to re-join the appropriate non-elected species at a later date should any of the generic claims be found allowable. The Applicant also reserves the right to later file one or more divisional applications directed to the subject matter of the non-elected claims.

CONCLUSION

This response is being submitted within the sixth month deadline with the requisite fee.

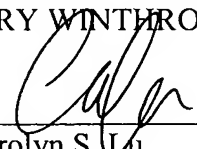
In the case any additional fee is owed, please charge Deposit Account No. 03-3975 (Attorney Ref. No. 67074-310832).

The Applicants believe that the foregoing Amendment and Remarks place this application in a condition for allowance and earnestly request a prompt action on the merits. If, however, the Examiner believes that the present application is in a condition other than for allowance, the Applicants request that the Examiner telephone the undersigned attorney at the Los Angeles telephone number (213) 488-7100, if the Examiner believes that such a telephone conference will advance prosecution.

Respectfully submitted,

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Date: 6/15/2009

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